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DELL, INC. et al.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

VIVIAN FIORI, and ROGGIE TRUJILLO,	)	Case No. 5:09-CV-01518 JW
	)	
Plaintiffs,	)	<b>STIPULATION AND [PROPOSED] ORDER</b>
	)	<b>CONTINUING FURTHER CASE</b>
v.	)	<b>MANAGEMENT CONFERENCE FROM</b>
	)	<b>NOVEMBER 16, 2009 TO NOVEMBER 23,</b>
DELL INC., et al.,	)	<b>2009.</b>
	)	
Defendants.	)	
	)	

Pursuant to Civ. L. R. 6-2 the parties, by their undersigned counsel, hereby stipulate and request that the Court Order that the Further Case Management Conference currently scheduled for November 16, 2009 at 10:00 a.m. be continued until November 23, 2009 at 10:00 a.m. and that a Joint Case Management Statement be filed on November 13, 2009. In its October 15, 2009 Order Granting Dell's Motion to Dismiss with Leave to Amend and Denying Qualxserv's Motion to Dismiss [Dkt. No. 68] the Court scheduled a Further Case Management conference for November 16, 2009, with a Joint Case Management Conference Statement due on November 6, 2009. Dell's lead counsel has a previously-scheduled court appearance in another case that conflicts with the conference on November 16, and has therefore requested that the conference be continued to November 23, 2009. Plaintiff has agreed, subject to court approval. The parties therefore agree the Further Case Management Conference should be continued until November 23, 2009, if convenient for the Court, and to file their Joint Case Management Conference Statement on or before November 13, 2009.

Respectfully Submitted,

Dated: November 4, 2009

ALSTON + BIRD LLP

By: /s/ Sean P. DeBruine  
Sean P. DeBruine

Attorneys for Defendants  
DELL, INC. et al.

Dated: November 4, 2009

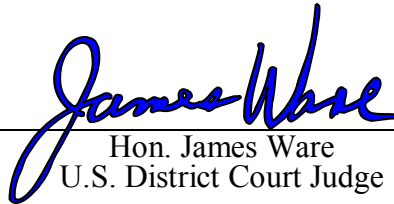
STRANGE & CARPENTER

By: /s/ Gretchen Carpenter  
Gretchen Carpenter

Attorneys for Plaintiffs  
VIVIAN FIORI and ROGGIE TRUJILLO

PURSUANT TO STIPULATION IT IS SO ORDERED:

Dated: November 12, 2009

  
\_\_\_\_\_  
Hon. James Ware  
U.S. District Court Judge

**FILER'S ATTESTATION**

Pursuant to General Order No. 45, Section X (B) regarding signatures, I, Sean P. DeBruine, attest that concurrence in the filing of this document has been obtained from Gretchen Carpenter.

/s/ Sean P. DeBruine

Sean P. DeBruine

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